

March 2, 2012

Testimony in support of Governor's #27

AN ACT TRANSITIONING THE REGULATIONS OF CONNECTICUT STATE AGENCIES TO AN ONLINE FORMAT

Good Morning Senator Slossberg, Representative Morin and Members of
the Committee

My name is Pamela Booth and I am the Administrator for the legislature's
Regulation Review Committee and am here to support the Governor's bill
#27, With some exceptions.

At the behest of my current Chairs Senator Roraback and Rep. Davis and on
behalf of my chairs past and present, the agencies across the state, the Law
Revision Commission, Attorney's, lobbyists, law librarians, the State
Librarian and a wide variety of other groups, who over the last dozen years
have worked with me or contacted me to bring similar legislation to fruition,
we thank the Governor for bringing forward this initiative at this time.

Sadly, if this legislation goes forward into law, it will make Connecticut the
last state to bring permanent regulations to an online format.

We support making the Secretary of the State's office responsible for the
online service for permanent regulations as it is the logical choice and is
done so by more than half of the states across the country. Since they are
currently the repository for all permanent regulations this makes sense.

There is, however, the question of doing away with the paper copy, and it is
here where there is a serious question. Of the all the states, there are
currently only 3 which have completely done away with paper. All of the
others maintain a paper record of some kind. In more than ¾'s of these
states the paper copy is still the official copy.

Since in Connecticut, the process for adopting regulation winds its self
through all branches of state government (from agency to COLP to public
comment to agency to AG's to agency to LRRC to agency to SOS to
publication) a paper trail is important. As you can see ours is not a simple
process. Especially during this time of transition, I believe that it would be a

mistake to do away with the certified copy of the regulations, currently filed with the SOS.

It will be easy enough to do away with the paper copy in the future if it is deemed unnecessary.

As of yesterday, the LRRC in compliance with PA 11-150, has gone 99% paperless, with the exception of the current certified copy of the proposed regulations, which is signed by me and returned to the agencies indicating the committee's ruling.

Another issue that has come to my attention is the fact that people don't think about a comprehensive on line system of regulations only in the SOS's office.

I have talked to many members of the general public who call looking for information about this or that permanent regulation and it would seem to me that not only should we have a broad based online system, but that agencies should post not only their regulations but notification of regulation making activities. If you are Mary Jones looking for information on opening a day care you will probably go the Department of Public Health web-site for information. The agency!!

Each agency needs to develop a robust, searchable, user friendly web portal to their regulations.

To their credit a number of agencies have been posting their regulations on their web-sites for some time.

Having said all of this, it is here that in the past while we got close to the finish line it has always been the money, not the ideas, which has tanked the project. In 2008, DOIT estimated that the initial price tag would be over \$300,000 for start-up. This was looking to an outside source to help develop the project. It did not include staffing or the ongoing records maintenance or data storage or software updates.

My last caution is a number of states have gone to some of the law publications such as West Law and Lexis/Nexis and I would advise against this, simply because these organizations have Connecticut's regulations currently on-line but they are not completely accurate. On numerous occasions our agencies, unable to get regulations online elsewhere, used regulations posted at these publications sites only to find that they were

drafting new regulations based on a regulation that had already been superseded.

In order to be as cautious as possible, most states with online access to regulations post a disclaimer, especially those that give up control of the online process or define the official copy as the hard copy.

I hope this will help you in moving this legislation to what I hope will be its logical conclusion, passage.

I thank you for your time.